

Operational Services Report to
Executive Committee
2023 October 11

ISC: UNRESTRICTED
EC2023-0976

Improving Enforcement of the Temporary Signs on Highways Bylaw

PURPOSE

The purpose of this report is to update Committee on a planned change in the service delivery model for the management of temporary signs along Calgary roads. This report also proposes to amend the relevant bylaw to increase fines for sign offences and to enable the delivery model change.

PREVIOUS COUNCIL DIRECTION

On 2023 March 22, Executive Committee referred report EC2023-0238, Improving the Temporary Signs Bylaw to Address Election Sign Complaints, back to Administration for further review, consultation with Members of Council, and to return to Executive Committee with new recommendations.

RECOMMENDATION:

That the Executive Committee recommend that Council give three readings to the proposed bylaw, in Attachment 5, to amend the Temporary Signs on Highways Bylaw 29M97.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE, 2023 OCTOBER 11:

That Council:

1. Give three readings to **Proposed Bylaw 55M2023**, in Attachment 5, to amend the Temporary Signs on Highways Bylaw 29M97; and
2. **Direct Administration to report back through Community Development Committee by the end of Q4 2024 on the updates to enforcement, including but not limited to success rate, of Bylaw 29M97, Temporary Signs on Highways Bylaw.**

Excerpt from the Minutes of the Regular Meeting of the Executive Committee, 2023 October 11:

Moved by Councillor Dhaliwal

That with respect to Report EC2023-0976, the Recommendations be amended by adding a new Recommendation 2, as follows:

2. Direct Administration to report back through Community Development Committee by the end of Q4 2024 on the updates to enforcement, including but not limited to success rate, of Bylaw 29M97, Temporary Signs on Highways Bylaw.

For: (11) Councillor Carra, Councillor Demong, Mayor Gondek, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Pootmans, Councillor McLean, Councillor Penner, Councillor Wong, and Councillor Dhaliwal

MOTION CARRIED

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Moved by Councillor Penner

That with respect to Report EC2023-0976, the following be approved, **as amended**:

That the Executive Committee recommends that Council:

1. Give three readings to the proposed bylaw, in Attachment 5, to amend the Temporary Signs on Highways Bylaw 29M97; **and**
2. **Direct Administration to report back through Community Development Committee by the end of Q4 2024 on the updates to enforcement, including but not limited to success rate, of Bylaw 29M97, Temporary Signs on Highways Bylaw.**

For: (11) Councillor Carra, Councillor Demong, Mayor Gondek, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Pootmans, Councillor McLean, Councillor Penner, Councillor Wong, and Councillor Dhaliwal

MOTION CARRIED

CITY MANAGER/GENERAL MANAGER COMMENTS

GM Doug Morgan and GM Katie Black concur with this report.

HIGHLIGHTS

- Thousands of temporary signs on road rights of way in Calgary are non-compliant and placed illegally.
- Greater application of the existing temporary sign rules will be realized in 2024 through significant changes to the service delivery model. Administration will focus both on more frequent collection of non-compliant signs and enforcement for repeat offenders.
- Achieving higher levels of compliance and removing sign clutter will allow for a more accurate evaluation of the existing temporary sign bylaw.
- Penalties for sign violations under the bylaw will be increased to \$300 per offence.
- 1,915 KG of election signs were diverted from landfills during the 2023 provincial election period in Calgary. A similar landfill diversion approach is planned for all future election periods where the plastics recycling market allows for it.

DISCUSSION

On 2022 December 20 Council approved the Notice of Motion on Reducing Election Sign Complaints by Improving the Temporary Sign Bylaw (Attachment 2). Administration was directed to return with proposed bylaw amendments to support a reduction in the number of temporary signs no later than 2023 Q1. The bylaw recommendations presented by Administration in 2023 March (EC2023-0238) were considered by Executive Committee to be unlikely to drive substantive change and the report was referred back to Administration by the Committee. Administration was directed to return with additional options after speaking with Council members and other Canadian municipalities to gain their insight and ideas.

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Conversations with Council were conducted throughout 2023 April and May (Attachment 3), and municipal engagement was completed by 2023 July (Attachment 4).

Temporary signs remain one of the most cost-effective ways for small businesses, community groups and election campaigns to attract the public's attention. The regulatory challenge facing Calgary is to strike an appropriate balance between allowing advertising to the public and the impacts of temporary signage on public space aesthetics and safe sight lines.

Enforcement Improvements

To improve The City's management of temporary signs, Administration will introduce changes to the service delivery model starting in 2024. The Mobility business unit will assume primary responsibility for responding to and managing temporary signs along roadways. Mobility's capacity to provide a consistent level of boulevard maintenance using their existing field operation resources will significantly reduce the visual clutter caused by illegally placed signs.

The enforcement of the rules governing temporary signs placed along roads is currently carried out by Community Peace Officers (CPO). CPOs are tasked with the enforcement of a variety of Bylaws and Provincial Acts. Issues that create a risk to public safety are prioritized over issues that only impact community aesthetics, including non-compliant signs. Sign removal can be a logistical challenge for CPOs who mainly drive special service vehicles that have been modified to include animal kennels. The vehicles have only limited cargo space appropriate for transporting signs. CPOs have relied upon the assistance of Mobility to address the removal of larger temporary signage as Mobility's field crews operate larger vehicles and mechanical lifts.

Mobility's crews will be responsible for identifying non-compliant temporary signs and removing and disposing of low-value signs that are unlikely to be collected from impound storage by a sign owner. Complaints can be referred to CPOs for investigation and enforcement when higher value signs need to be removed, or violation tickets are warranted, including those involving multiple or repeat violations. More rigorous enforcement of the existing rules will allow an evaluation of whether the existing bylaw requires substantive changes. Administration will keep Members of Council informed as to the outcome of the operational changes and any needed changes to regulation.

Penalty Increases

As presented in the 2023 March report EC2023-0238, it is recommended that penalties should increase for repeat offences. Administration is recommending a provision for increased penalties to any person that has been convicted of the same violation within a twenty-four-month period. The specified penalty payable would double for the second conviction, and triple for the third within 24 months. The specified penalties for all offences are proposed to be increased to a floor of \$300. Administration is recommending the minimum penalties, which the courts may consider applying in the case of a guilty plea, be increased to \$200. Attachment 5 articulates these changes and provides the proposed wording for a bylaw to amend Bylaw 29M97, the Temporary Signs on Highways Bylaw.

Reduce Plastic Sign Waste – Election Signs

At the completion of an election period, all election signs must be removed from roadways within 72 hours. Most election signs are made from corrugated plastic. As part of the Notice of Motion, Administration was asked to consider temporary signs as part of The City's Single-Use Items Reduction Strategy. The City offered a free drop-off service for unwanted election signs at

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three landfill ‘Throw ‘N’ Go’ sites through the recent 2023 provincial election period. Campaigns took advantage of this offer, delivering almost two tonnes of recyclable sign materials (1,915 kg) which were diverted from landfill and sent for recycling. It is planned that this service be offered for all future election campaign periods where the plastics recycling market allows it.

EXTERNAL ENGAGEMENT AND COMMUNICATION

- | | |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken |
| <input type="checkbox"/> Public/interested parties were informed | <input type="checkbox"/> Public communication or engagement was not required |

Conversations with interested Members of Council were conducted through 2023 April and May and a summary of the feedback received is included as Attachment 3. The most prominent theme raised was that temporary signage enforcement has been insufficient and that without resolving this fundamental issue, substantive changes to the existing bylaw would either be of little effect, or difficult to evaluate.

IMPLICATIONS

Social

Continuing to provide opportunities for temporary signage along City roads supports the needs of community groups to inform residents of available recreation, sports, arts, cultural, social, and educational opportunities. These programs enrich and strengthen our neighbourhoods, and support Calgary’s reputation as a vibrant and liveable city.

Environmental

The City has a responsibility to protect public spaces from overuse and misuse. Providing a service to accept unwanted plastic election signs for eventual recycling helps to reduce non-biodegradable materials from entering the landfill.

Economic

Temporary signs are one of the most cost-effective ways for small businesses and campaigns to attract the public’s attention. Clear rules on how they may be used on the right of way provide a fair environment for businesses to succeed and prosper. These opportunities contribute to both economic growth and community well-being.

Service and Financial Implications

Existing operating funding - base

There are no anticipated financial impacts regarding the approaches outlined in this report. The management and enforcement of temporary signs on highways will be conducted within existing operating and capital budgets for Mobility, Emergency Management and Community Safety, and Waste and Recycling Services.

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RISK

The recommended changes to the service delivery model should better address community aesthetics concerns. The governing rules continue to allow for the responsible use of temporary signs, which many residents feel are unattractive and too numerous. The new enforcement strategy will need to provide an efficient and consistent approach to these sign complaints, using existing resources, to improve public confidence in The City's temporary sign approach.

ATTACHMENTS

1. Previous Council Direction
2. Original Notice of Motion
3. Member of Council Discussion Summary
4. Municipal Scan
- 5. Proposed Bylaw 55M2023**
- 6. Presentation**

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Troy McLeod	Operational Services	Approve
Doug Morgan	Operational Services	Approve
Iain Bushnell	Community Services	Approve
Katie Black	Community Services	Approve
Jill Floen	Law, Legislative Services & Security	Inform

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